

MINUTES
BOARD OF COMMISSIONERS' MEETING
Tuesday, January 12, 2016 6:00 P.M.
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A **REGULAR MEETING** of the Board of Commissioners of the City of Covington, Kentucky, was opened by Mayor Carran, on Tuesday, January 12, 2016, at 6:00 p.m., in Commission Chambers, 20 West Pike Street, Covington, Kentucky.

Mayor Carran presiding with Commissioners Chuck Eilerman, Steve Frank, Jordan Huizenga, Bill Wells, City Manager Larry Klein, and Assistant City Manager/City Solicitor Frank Warnock, present.

MOTION of Commissioner Frank, seconded by Commissioner Huizenga to dispense with the reading of and approve the minutes of the December 15, 2015, and January 5, 2016, meetings.

Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

PRESENTATIONS

There were no presentations scheduled.

OLD BUSINESS – SECOND READING OF ORDINANCES

EPAD ORDINANCE AMENDMENT – From the initial reading of O-41-15 to the close of the transaction, several costs were adjusted resulting in a decrease in the special assessment against the property. Specifically, the initial authorization was for the City to levy and collect an amount equal to \$74,090.51 whereas the actual amount of the assessment is \$71,328.73.

COMMISSIONERS' ORDINANCE NO O-02-16

AN ORDINANCE AMENDING ORDINANCE NO. O-41-15 TO REFLECT THE FINAL SPECIAL ASSESSMENT AMOUNT TO BE LEVIED AGAINST THE SUBJECT PROPERTY AND THE FINAL TERMS OF THE EPAD PROJECT BASED UPON THE CLOSING DOCUMENTS EXECUTED ON DECEMBER 17, 2015.

MOTION of Commissioner Eilerman, seconded by Commissioner Wells.

Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

NEW BUSINESS – ORDER/RESOLUTIONS

RETIREMENT – Detective Coots has 27 years of experience with the Covington Police Department. He has led a distinguished career and has served in many capacities over the years including, Patrol Officer, Field Training Officer, DUI Enforcement Officer, Domestic Abuse and Criminal Investigations Detective, SWAT Team Leader, narcotics Investigator, and FBI Safe Streets Task Force Member responsible for investigating violent crime in the City.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-06-16

AN ORDER/RESOLUTION ACCEPTING THE RESIGNATION FOR RETIREMENT OF DETECTIVE JIM COOTS OF THE COVINGTON POLICE DEPARTMENT, EFFECTIVE DECEMBER 31, 2015.

MOTION of Commissioner Wells, seconded by Commissioner Huizenga.

Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

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EMPLOYMENT – Over 400 applications were received for this position and phone interviews and personal interviews were conducted. Staff believes that Lori, with her background is the most qualified for the position.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-07-16

AN ORDER/RESOLUTION APPROVING THE EMPLOYMENT OF LORI HILL AS PART-TIME COMMUNITY SERVICES CLERK, AT AN HOURLY RATE OF \$23.00, EFFECTIVE JANUARY 13, 2016.

MOTION of Commissioner Huizenga, seconded by Commissioner Frank.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

REQUEST FOR PROPOSALS – The City has been in litigation with the Hershner estate for a number of years and the Court has recently made a final determination. As part of the decision, the City is required to implement a storm water management system throughout the subdivision and create a new detention basin. The publication of the RFP is the first step in the process.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-08-16

AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A REQUEST FOR PROPOSALS FOR A DESIGN CONSULTANT TO DEVELOP THE STORM WATER PLANS WITHIN THE POINTE BENTON SUBDIVISION NEEDED TO COMPLY WITH COURT ORDERS.

MOTION of Commissioner Eilerman, seconded by Commissioner Frank.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

REQUEST FOR PROPOSALS – Riverside Drive has gradually begun to erode toward the Ohio River with each additional flood that occurs. Thelen and Woolpert were hired to design a fix that would stabilize the hillside and a tie back retaining wall has been designed and the plans are nearly complete. As soon as USACE approves the plan, construction can begin.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-09-16

AN ORDER/RESOLUTION APPROVING THE PUBLICATION OF A REQUEST FOR PROPOSALS FOR THE CONSTRUCTION OF A RETAINING WALL ALONG RIVERSIDE DRIVE.

MOTION of Commissioner Eilerman, seconded by Commissioner Huizenga.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

AMEND CONTRACT – The City's annual concrete maintenance contract was based upon the fact that Hendy, Inc. provided the lowest per unit bid price in response to the City's RFQ. The terms of the RFQ contemplated designating Hendy to perform numerous concrete maintenance projects throughout the City for a total amount not to exceed \$3,000,000. Several of the projects that Hendy completes at its competitively bid unit price include projects that are funded by Devou Trust and Devou Park Master Plan (Drees Pavilion) funds, taking advantage of the low unit prices. In addition, this allows the low unit price to be extended to the upcoming \$1.3 million in sidewalk improvement projects in north Covington.

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COMMISSIONERS' ORDER/RESOLUTION NO. O/R-10-16

AN ORDER/RESOLUTION AMENDING O/R-144-15 TO AWARD HENDY, INC. THE ANNUAL CONCRETE MAINTENANCE CONTRACT AND TO AUTHORIZE THE CITY TO DESIGNATE HENDY, INC. TO PERFORM VARIOUS CONCRETE MAINTENANCE PROJECTS USING ITS PER UNIT BID PRICES FOR A TOTAL AWARD AMOUNT NOT TO EXCEED \$3,000,000.00, PAYABLE FROM CDBG FUNDS, MUNICIPAL ROAD AID FUNDS, CAPITAL BOND FUNDS, DEVOU PARK MASTER PLAN FUNDS, AND DEVOU TRUST FUNDS.

MOTION of Commissioner Huizenga, seconded by Commissioner Eilerman.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

CHANGE ORDER – There were some unanticipated items that came up during the construction process including: extra work to tie into the existing sewer; raising the manhole to match the new grade; realigning pole to avoid utility pole; and using a straw blanket in the basin because grass seed wouldn't hold. The original contract with Hale was \$349,817.00 and the final billed amount was \$362,328.10.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-11-16

AN ORDER/RESOLUTION APPROVING THE PAYMENT OF \$12,441.10 TO HALE CONTRACTORS FOR A CHANGE ORDER RELATED TO PHASE II OF THE PEASELBURG DETENTION BASIN PROJECT, PAYABLE FROM THE CAPITAL BOND FUND.

MOTION of Commissioner Eilerman, seconded by Commissioner Huizenga.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

MASTER DEVELOPMENT AGREEMENT AMENDMENT – Since the execution of the Master Development agreement for the Duveneck project, additional project details have been work out which necessitate an update to the agreement. Additions to the agreement include: 1) payment of development related costs; 2) parking availability; and 3) use of industrial revenue bonds.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-12-16

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AMENDMENT TO THE MASTER DEVELOPMENT AGREEMENT BETWEEN THE CITY OF COVINGTON, THE COVINGTON ECONOMIC DEVELOPMENT AUTHORITY, INC., AND 730 WASHINGTON, LLC.

MOTION of Commissioner Huizenga, seconded by Commissioner Eilerman.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

INFRASTRUCTURE PROJECTS – These projects have been approved and budgeted for from the Fiscal Stability's Infrastructure fund.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-13-16

AN ORDER/RESOLUTION APPROVING THE DISBURSEMENT OF FUNDS, PURSUANT TO SECTION 5.1 OF THE FISCAL STABILITY ORDINANCE, O-50-15, FOR THE FOLLOWING PROJECTS AND AMOUNTS: CATCH BASIN REPAIR (\$100,000.00); STREET STRIPING (\$65,000.00); AND ROLLING HILLS DRIVE RECONSTRUCTION

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(\$150,000.00), PAYABLE FROM THE FISCAL STABILITY INFRASTRUCTURE FUND.

MOTION of Commissioner Huizenga, seconded by Commissioner Wells.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

APPOINTMENT – This appointment fills the unexpired term of Daniel Streicher.

COMMISSIONERS' ORDER/RESOLUTION NO. O/-14-16

AN ORDER/RESOLUTION APPOINTING MARK COOK TO THE HOUSING AUTHORITY OF COVINGTON (HAC) BOARD TO FILL THE UNEXPIRED TERM OF DANIEL STREICHER, WHOSE TERM WILL EXPIRE APRIL 14, 2018.

MOTION of Commissioner Wells, seconded by Commissioner Eilerman.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

APPOINTMENT

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-15-16

AN ORDER/RESOLUTION APPOINTING COMMISSIONER BILL WELLS AS THE CITY OF COVINGTON'S REPRESENTATIVE TO THE PLANNING AND DEVELOPMENT SERVICES COUNCIL AND MAYOR SHERRY CARRAN AS THE ALTERNATE REPRESENTATIVE.

MOTION of Commissioner Huizenga, seconded by Commissioner Eilerman.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

CONTRACT – OpenGov is a single source provider of software that provides data analysis and reporting both for internal use and for the public. OpenGov is in partnership with our current financial software provider and can pull automatically the information to provide the financial information. They can also provide analysis and reporting of many other types of City data from the different departments.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-16-16

AN ORDER/RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH OPENGOV, INC. FOR THE IMPLEMENTATION AND SUBSCRIPTION OF INTELLIGENCE & TRANSPARENCY SOFTWARE, IN AN AMOUNT NOT TO EXCEED \$31,000.00, PAYABLE FROM GENERAL FUND.

MOTION of Commissioner Huizenga, seconded by Commissioner Wells.
Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

RECOGNITION FOR CITY CLERK

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-17-16

AN ORDER/RESOLUTION HONORING CITY CLERK MAGGIE NYHAN FOR BEING NAMED THE 2015 OUTSTANDING MUNICIPAL CLERK BY THE NORTHERN KENTUCKY MUNICIPAL CLERKS ASSOCIATION.

MOTION of Commissioner Wells, seconded by Commissioner Huizenga.

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SURPLUS REAL PROPERTY – This is a City-owned parcel of land behind 111 East 33rd Street that is completely landlocked and has no useful purpose for the City. Mr. Grout has contacted the City and is interested in acquiring the land and consolidating it with his existing adjacent property. The property can be disposed of for economic development purposes and will return to tax producing status.

COMMISSIONERS' ORDER/RESOLUTION NO. O/R-18-16

AN ORDER/RESOLUTION DECLARING THREE CITY-OWNED LOTS, LOTS 30, 31, AND 32, IN THE KENTURAH SUBDIVISION AS SURPLUS REAL PROPERTY, PURSUANT TO KRS 82.083(3)(b), AND APPROVING THE TRANSFER OF THE LOTS TO LOUIS A. GROUT VIA QUIT CLAIM DEED.

MOTION of Commissioner Eilerman, seconded by Commissioner Frank.

Passed. 5 Yeas. Commissioners Eilerman, Frank, Huizenga, Wells, and Mayor Carran.

ADJOURNMENT

Mayor Carran adjourned the meeting at 7:40 p.m.

/s/ Sherry Carran
MAYOR

ATTEST:

/s/ Margaret M. Nyhan
CITY CLERK

APPROVED: January 26, 2016